

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*I hereby certify that this correspondence is being electronically filed with the United States Patent and Trademark Office on June 15, 2007 at or before 11:59 p.m. Pacific Time under the Rules of 37 CFR § 1.8.*

  
Vickie D. Wall

Applicant : Masaaki Ino, et al. Confirmation No. 4946  
Application No. : 10/573,230  
Filed : March 24, 2006  
Title : SUSTAINED RELEASE PHEROMONE FORMULATION  
Grp./Div. : 1616  
Examiner : To be assigned  
Docket No. : 57419/F349

## LETTER TO CORRECT FILING RECEIPT

Office of Initial Patent Examination's  
Filing Receipt Corrections  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Post Office Box 7068  
Pasadena, CA 91109-7068  
June 15, 2007

Commissioner:

When proofing the Filing Receipt for the above-identified application, we located the following error:

**Under Applicants:**


Second applicant, delete "Tomoaka" and insert --Tomoaki--,

as evidenced by the enclosed copy of the Declaration and Power of Attorney previously filed. A copy of the Filing Receipt indicating the necessary correction is also enclosed.

Please forward a Corrected Filing Receipt to the undersigned.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP



By \_\_\_\_\_  
D. Bruce Prout  
Reg. No. 20,958  
626/795-9900

DBP/vdw  
Enclosures

Docket No. : 57419/F349

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled SUSTAINED RELEASE PHEROMONE FORMULATION, the specification of which is attached hereto unless the following is checked:

  X   was filed on September 14, 2004 as United States Application Number or PCT International Application Number PCT/JP2004/013364 and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of the foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, any foreign application for patent or inventor's certificate, or any PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

<u>Application Number</u>	<u>Country</u>	<u>Filing Date (day/month/year)</u>	<u>Priority Claimed</u>
2003-331082	Japan	24 September 2003	YES

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

<u>Application Number</u>	<u>Filing Date</u>
---------------------------	--------------------

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

<u>Application Number</u>	<u>Filing Date</u>	<u>Patented/Pending/Abandoned</u>
---------------------------	--------------------	-----------------------------------

---

## DECLARATION FOR PATENT APPLICATION

---

Docket No. 57419/F349

---

**POWER OF ATTORNEY:** I hereby appoint the practitioners associated with the law firm of Christie, Parker & Hale, LLP,

### CUSTOMER NUMBER 23363

to prosecute this application and any U.S. continuation or divisional application based on it, and to prosecute any international application under the Patent Cooperation Treaty based on it, and to transact all business in the U.S. Patent and Trademark Office connected with either of them in accordance with instructions from the assignee of the entire interest in this application; or from the first or sole inventor named below in the event the application is not assigned; or from N. Fukumura & Associates in the event the power granted herein is for an application filed on behalf of a foreign attorney or agent.

The authority under this Power of Attorney of each person associated with the law firm of Christie, Parker & Hale, LLP, Customer Number 23363, shall automatically terminate and be revoked upon such person ceasing to be a member or associate of or of counsel to that law firm.

### DIRECT ALL CORRESPONDENCE TO: CUSTOMER NUMBER 23363

**DIRECT TELEPHONE CALLS TO: D. Bruce Prout, 626/795-9900**

**CHRISTIE, PARKER & HALE, LLP**

**P.O. Box 7068**

**Pasadena, CA 91109-7068**

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

<b>NAME OF SOLE OR FIRST INVENTOR</b>			
Masaaki INO			
Inventor's Signature <i>Masaaki Ino</i>			Date <i>April 12, 2006</i>
City Residence: Fukaya-shi	State Saitama	Country Japan	Citizenship Japanese
Mailing Address:	c/o Sankei Chemical Co., Ltd., 13-1, Hataraa-cho 1-chome, Fukaya-shi, Saitama 366-0032 Japan		

# DECLARATION FOR PATENT APPLICATION

Docket No. 57419/F349

<b>NAME OF SECOND INVENTOR</b>			
Tomoaki HONGO			
Inventor's Signature <i>Tomoaki Hongo</i>			Date <i>April 12, 2006</i>
Residence:	City Fukaya-shi	State Saitama	Country Japan
Citizenship Japanese			
Mailing Address:	c/o Sankei Chemical Co., Ltd., 13-1, Hataraa-cho 1-chome, Fukaya-shi, Saitama 366-0032 Japan		

<b>NAME OF THIRD INVENTOR</b>			
Kaoru TAKEMURA			
Inventor's Signature <i>Kaoru Takemura</i>			Date <i>April 12, 2006</i>
Residence:	City Kagoshima-shi	State Kagoshima	Country Japan
Citizenship Japanese			
Mailing Address:	c/o Sankei Chemical Co., Ltd., 9, Nanei 2-chome, Kagoshima-shi, Kagoshima 891-0122 Japan		

<b>NAME OF FOURTH INVENTOR</b>			
Akihiro KAWABATA			
Inventor's Signature <i>Akihiro Kawabata</i>			Date <i>April 12, 2006</i>
Residence:	City Kagoshima-shi	State Kagoshima	Country Japan
Citizenship Japanese			
Mailing Address:	c/o Sankei Chemical Co., Ltd., 9, Nanei 2-chome, Kagoshima-shi, Kagoshima 891-0122 Japan		

---

DECLARATION FOR PATENT APPLICATION

---

Docket No. 57419/F349

---

NAME OF FIFTH INVENTOR			
Tadashi MATSUNAGA			
Inventor's Signature <i>Tadashi Matsunaga</i>			Date <i>April 12 2006</i>
Residence:	City Kagoshima-shi	State Kagoshima	Country Japan
		Citizenship Japanese	
Mailing Address:	c/o Sankei Chemical Co., Ltd., 9, Nanei 2-chome, Kagoshima-shi, Kagoshima 891-0122 Japan		

AAM PAS673709.2-\*03/24/06 10:33 AM

DBP



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPL NO.	FILING OR 371(c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLMS	IND CLMS
10/573,230	01/05/2007	1616	515	57419/F349	8	1

CONFIRMATION NO. 4946

23363  
 CHRISTIE, PARKER & HALE, LLP  
 PO BOX 7068  
 PASADENA, CA 91109-7068

**RECEIVED****MAY 17 2007**

FILING RECEIPT



\*OC000000023822866\*

CHRISTIE, PARKER &amp; HALE, LLP

Date Mailed: 05/11/2007

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

## Applicant(s)

*Tomoaki* Masaaki Ino, Fukaya-shi, JAPAN;  
~~Tomoaki~~ Tomoaki Hongo, Fukaya-shi, JAPAN;  
 Kaoru Takemura, Kagoshima-shi, JAPAN;  
 Akihiro Kawabata, Kagoshima-shi, JAPAN;  
 Tadashi Matsunaga, Kagoshima-shi, JAPAN;

**F349:**  
**57419**  
 CASE # \_\_\_\_\_ ACTION \_\_\_\_\_  
 REMINDER \_\_\_\_\_ DUE DATE \_\_\_\_\_  
 DEADLINE \_\_\_\_\_

**Power of Attorney:** The patent practitioners associated with Customer Number 23363.

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/JP04/13364 09/14/2004

## Foreign Applications

JAPAN 2003-331082 09/24/2003

**If Required, Foreign Filing License Granted:** 05/10/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/573,230**

**Projected Publication Date:** 08/16/2007

**Non-Publication Request:** No

**Early Publication Request:** No

**\*\* SMALL ENTITY \*\***

**Title**

Sustained release pheromone formulation

**Preliminary Class**

424

## **PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

---

### **LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15**

#### **GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The

date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).